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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13
14 **IN RE CTF GP PRISONER LITIGATION:**
15 **DANIEL P. CRUZ, et. al.,**

16 Plaintiffs,

17 v.

18 **R. DIAZ, et al.,**

5:19-CV-1974-LHK

**DECLARATION OF E. GALVAN IN
SUPPORT OF DEFENDANTS'
RESPONSE TO ORDER TO SHOW
CAUSE**

Judge: The Honorable Lucy H. Koh

Action Filed: November 20, 2019

19
20
21 I, E. GALVAN, declare:

22 1. I am an Acting Captain employed by California Department of Corrections and
23 Rehabilitation (CDCR) at the Correctional Training Facility (CTF). I am competent to testify to
24 the matters set forth in this declaration, and if called upon by this Court, would do so. I submit
25 this declaration in support of Defendants' Response to Court's Order to Show Cause (ECF No.
26 53).

27 2. Attached as Exhibit A is a true and correct copy of the correspondence provided to
28 inmate Ambrosio Villagrana and Diana Cruz, inmate advocate for inmate Villagrana.

1 I declare under penalty of perjury that the foregoing is true and correct and that this
2 declaration was executed on August 25, 2020, in Sacramento, California.

3
4 /s/ E. Galvan

E. Galvan

(A) Captain, Correctional Training Facility

6 SF2019202635

7 91281969

EXHIBIT A

**DIVISION OF ADULT INSTITUTIONS
CORRECTIONAL TRAINING FACILITY**

PO Box 686
Soledad, CA 93960-0686



July 17, 2020

Diana Cruz

Dear Ms. Cruz,

Thank you for expressing your concerns regarding the well-being and safety of inmate Ambrosio Villagrana (CDCR# C84430) following a Unit Classification Committee (UCC) recommendation that he be transferred to a Non Designated Programming Facility (NDPF). The Correctional Training Facility (CTF) adheres to all policies and all local operational procedures set forth by the Department. NDPFs are an integral part of the California Department of Corrections and Rehabilitation's (CDCR) effort to maximize rehabilitative and treatment opportunities for inmates. NDPFs serve to provide greater access to programs for inmates who demonstrate positive programming, regardless of prior Sensitive Needs Yard (SNY) or General (GP) designations. NDPFs are intended to provide an environment focused on positive rehabilitative programming for inmates who wish to abstain from destructive cycles of violence.

Inmate Villagrana was advised that he may be transferred to an NDPF yard, where it is expected that all inmates will program together within the mission of the facility and comply with integrative housing expectations, regardless of prior GP or SNY designations. Additionally, CTF informed him that additional privileges and programming were available beyond those normally found at a Level II facility; including rehabilitative programs such as Education, Vocation, and Substance Use Disorder Treatment. Moreover, CTF informed him that the goal of CDCR is to implement NDPFs that do not identify as either SNY or GP. The UCC's transfer recommendation is non-adverse in nature.

Although the recommendation to an NDPF was accurate based on his case factors, it was determined that at this time, Inmate Villagrana will remain as a GP inmate in CTF's Level II cell housing.

If you have any further questions or comments regarding this matter, you may contact the CTF Litigation Coordinator at:

Correctional Training Facility
Litigation Coordinator
P.O. Box 686
Soledad, CA 93960

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Koenig", is written over the typed name.

C. KOENIG
Warden
Correction Training Facility